

4-86-18 178 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Max & Sandie Weisfeld
I, or we, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit an accessory structure in the side yard instead of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Present site, in the rear yard, of the two car garage (which is being razed) completely obstructs the view, from the house, into the rear yard. We are unable to view our children while they are playing in the rear. We plan to install a pool in the rear yard and will need to be able to observe it from the house for safety reasons. In addition the side yard will allow for better security surveillance of the garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

DATE: September 11, 1980
ORDER RECEIVED FOR FILING

Contract purchaser: Max Weisfeld
Address: 716 HOWARD ROAD
410-7077
Petitioner's Attorney: [Signature]
Protestant's Attorney: [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of September 19, 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of October, 1980 at 10:00 o'clock A.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 2, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas A. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
County Administration
Industrial Development

Mr. & Mrs. Max Weisfeld
716 Howard Road
Baltimore, Maryland 21208

RE: Item No. 36
Petitioner - Max Weisfeld et ux
Variance Petition

Dear Mr. & Mrs. Weisfeld:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas A. Commodari
NICHOLAS A. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:bac

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 25, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #36 (1980-1981)
Property Owner: Max & Sandie Weisfeld
W/S Howard Road 175' S. of centerline of Westover Road
Acres: 150 x 267 District: 3rd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Howard Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any reversible easements for slopes as necessary, will be required in connection with any grading or building permit application.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There is a public 6-inch water main and 8-inch public sanitary sewerage in Howard Road.

Very truly yours,
[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:FWR:ss

P-SE Key Sheet, 25 NW 22 Pos. Sheet
NW 7 F Topo, 78 Tax Map



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

September 10, 1980

Mr. William R. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #36, Zoning Advisory Committee meeting of August 19, 1980, are as follows:

Property Owner: Max & Sandie Weisfeld
Location: W/S Howard Rd. 175' S. of center line of Westover Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to permit an accessory structure in the side yard instead of the required rear yard.
Acres: 150 x 267
District: 3rd

Metropolitan water and sewer exist, therefore, no health hazards are anticipated.

Very truly yours,
[Signature]
IAN J. FERRELL, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw

baltime county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3950

STEPHENE COLLINS
DIRECTOR

September 3, 1980

Mr. William R. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments on Items 36 and 37 of the Zoning Advisory Committee Meeting of August 19, 1980.

Very truly yours,
[Signature]
MICHAEL S. PLANIGAN
Engineer Associate II

MSF/mjm

NORMAN E. GERBER
DIRECTOR

September 18, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #36, Zoning Advisory Committee Meeting, August 19, 1980, are as follows:

Property Owner: Max and Sandie Weisfeld
Location: W/S Howard Road 175' S of centerline of Westover Road
Acres: 150 X 267
District: 3rd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,
[Signature]
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

September 4, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Max & Sandie Weisfeld

Location: W/S Howard Road 175' S. of center line of Westover Road

Item No: 36 Zoning Agenda: Meeting of August 19, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

ORDER RECEIVED FOR FILING

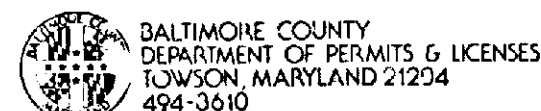
DATE September 7, 1980
BY Stefan P. Lary
TOWSON, MARYLAND

Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following finding of fact that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 7th day of November, 1980, that the herein Petition for Variance(s) to permit an accessory structure, a 24' x 30' enclosed garage, to be constructed in the side yard in lieu of the required rear yard, in accordance with the site plan dated June 28, 1980, and marked Petitioners' Exhibit 1, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The existing garage shall be razed on or before the completion of the proposed garage and a permit for the razing of same shall be secured.
2. Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County



TED ZALESKI, JR.
DIRECTOR

August 28, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 36 Zoning Advisory Committee Meeting, August 19, 1980 are as follows:

Property Owner: Max & Sandie Weisfeld
Location: 716 Howard Road 175' S. of centerline of Westover Road
Existing Zoning: R-1, 3-5
Proposed Zoning: Variance to permit an accessory structure in the side yard instead of the required rear yard.

Acres: 1.00 X 267
District: 3rd

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.
- X B. A building permit shall be required before beginning construction or razing.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s.
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.
- I. Comments:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rlj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: Sept. 2, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: August 19, 1980

RE: Item No: 36, 37
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S of Howard Rd., 175' :
S of Westover Rd., 3rd District : C BALTIMORE COUNTY
MAX WEISFELD, et ux, Petitioners : Case No. 81-78-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of September, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Max Weisfeld, 716 Howard Road, Baltimore, Maryland 21208, Petitioners.

John W. Hession, III
John W. Hession, III

PETITION FOR VARIANCE

3rd District

ZONING: Petition for Variance for accessory structure
LOCATION: West side of Howard Road, 175 feet South of Westover Road
DATE & TIME: Tuesday, October 14, 1980 at 10:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure in the side yard in lieu of the required rear yard

The Zoning Regulation to be excepted as follows:

Section 400.1 - Accessory structures

All that parcel of land in the Third District of Baltimore County

Being the property of Max Weisfeld, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, October 14, 1980 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

VARIANCE DESCRIPTION

716 HOWARD ROAD

Beginning at the point on the west side of Howard Road, 175 feet south of the center line of Westover Road.

Thence leaving Howard Road and running westerly 267 feet,

Thence southerly 150 feet,

Thence easterly 267 feet back to Howard Road,

Thence running 150 feet north to the place of the beginning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner
FROM: Norman E. Center, Jr.
Director
SUBJECT: Petition No. 81-78-A Item 36

Date: September 26, 1980

Petition for Variance for accessory structure
West side of Howard Road, 175 feet South of Westover Road
Petitioner- Max Weisfeld, et ux

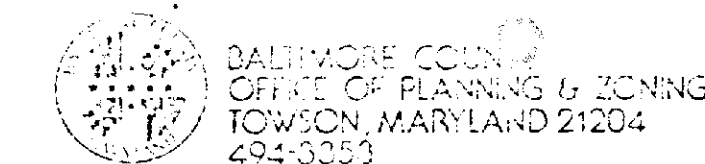
Third District

HEARING: Tuesday, October 14, 1980 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Center, Jr.
Norman E. Center, Jr., Director
Planning and Zoning

NEC:GHI:at



WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 30, 1980

Mr. & Mrs. Max Weisfeld
716 Howard Road
Baltimore, Maryland 21208

RE: Petition for Variance
W/S Howard Rd., 175' S of Westover
Road
Case No. 81-78-A

Dear Mr. & Mrs. Weisfeld:

This is to advise you that \$37.90 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

September 17, 1980

Mr. & Mrs. Max Weisfeld
716 Howard Road
Baltimore, Maryland 21208

NOTICE OF HEARING

RE: Petition for Variance - W/S Howard Rd., 175' South of Westover Road - Case No. 81-78-A

TIME: 10:00 A.M.

DATE: Tuesday, October 14, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Office of
COLUMBIA PUBLISHING CORP.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

19

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE HOWARD ROAD

was inserted in the following:

- ☒ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland, once a week for ONE successive weeks before the 26th day of SEPTEMBER 1980 that is to say, the same was inserted in the issues of

9/25/80

COLUMBIA PUBLISHING CORP.

By *Wancy Knowles*

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY, IN EQUITY

Plaintiff

VS.

Defendant

CERTIFICATE OF PUBLICATION OF

November 7, 1980

Mr. & Mrs. Max Weisfeld
716 Howard Road
Baltimore, Maryland 21208

RE: Petition for Variance
W/S of Howard Road, 175' S of Westover Road - 3rd Election District
Max Weisfeld, et ux - Petitioners
NO. 81-78-A (Item No. 36)

Dear Mr. & Mrs. Weisfeld:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachment:

cc: John W. Hessian, III, Esquire
People's Counsel

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: SEPT. 27, 1980

Posted for: PETITION FOR VARIANCE

Petitioner: MAX WEISFELD, ET UX

Location of property: W/S HOWARD RD., 175' S. WESTOVER RD.

Location of Signs: FRONT # 716 HOWARD RD.

Remarks: Thomas K. Holcomb

Posted by: Thomas K. Holcomb Signature

Date of return: OCT. 3, 1980

Number of Signs: ONE

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 25, 1980

THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., on the

of 26th day of September, 1980, the first publication

day of October, 1980, the first publication

appearing on the 25th day of September

1980.

L. Shank
THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$

PETITION FOR VARIANCE
and DISTRICT
ZONING: Petition for Variance for
accessory structure
LOCATION: West side of Howard
Road, 175 feet South of Westover
Road
DATE & TIME: Tuesday, October
14, 1980 at 10:00 A.M.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Variance to permit an accessory structure in the side yard in lieu of the required rear yard.
The Zoning Regulation to be excepted as follows:
Section 401-A-Accessory structures
All that parcel of land in the Third District of Baltimore County, beginning at a point on the west side of Howard Road, 175 feet south of the center line of Westover Road, thence leaving Howard Road and running westerly 287 feet, thence southerly 150 feet, thence westerly 287 feet back to Howard Road, thence running 150 feet north to the place of the beginning.
Being the property of Max Weisfeld, et ux, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, October 14, 1980 at 10:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of:
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Sept. 25

Mr. & Mrs. Max Weisfeld
716 Howard Road
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 19th day of August, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Mr. & Mrs. Max Weisfeld, et ux
Petitioner's Attorney

Reviewed by *Nicholas B. Comandari*
Nicholas B. Comandari
Chairman, Zoning Plans
Advisory Committee

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WZ</i>										
Revised Plans: Change in outline or description										
Previous case:										
Map #										



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 16 day of Aug, 1980

Filing Fee \$ 25 Received: Check

Cash
Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner Max Weisfeld
Petitioner's Attorney Max Weisfeld Submitted by Max Weisfeld Reviewed by Max Weisfeld

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 091791

DATE October 8, 1980 ACCOUNT 01-662

AMOUNT \$37.90

RECEIVED FROM Dr. Max Weisfeld

FOR Adv. & Posting for Case No. 81-78-A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 091746

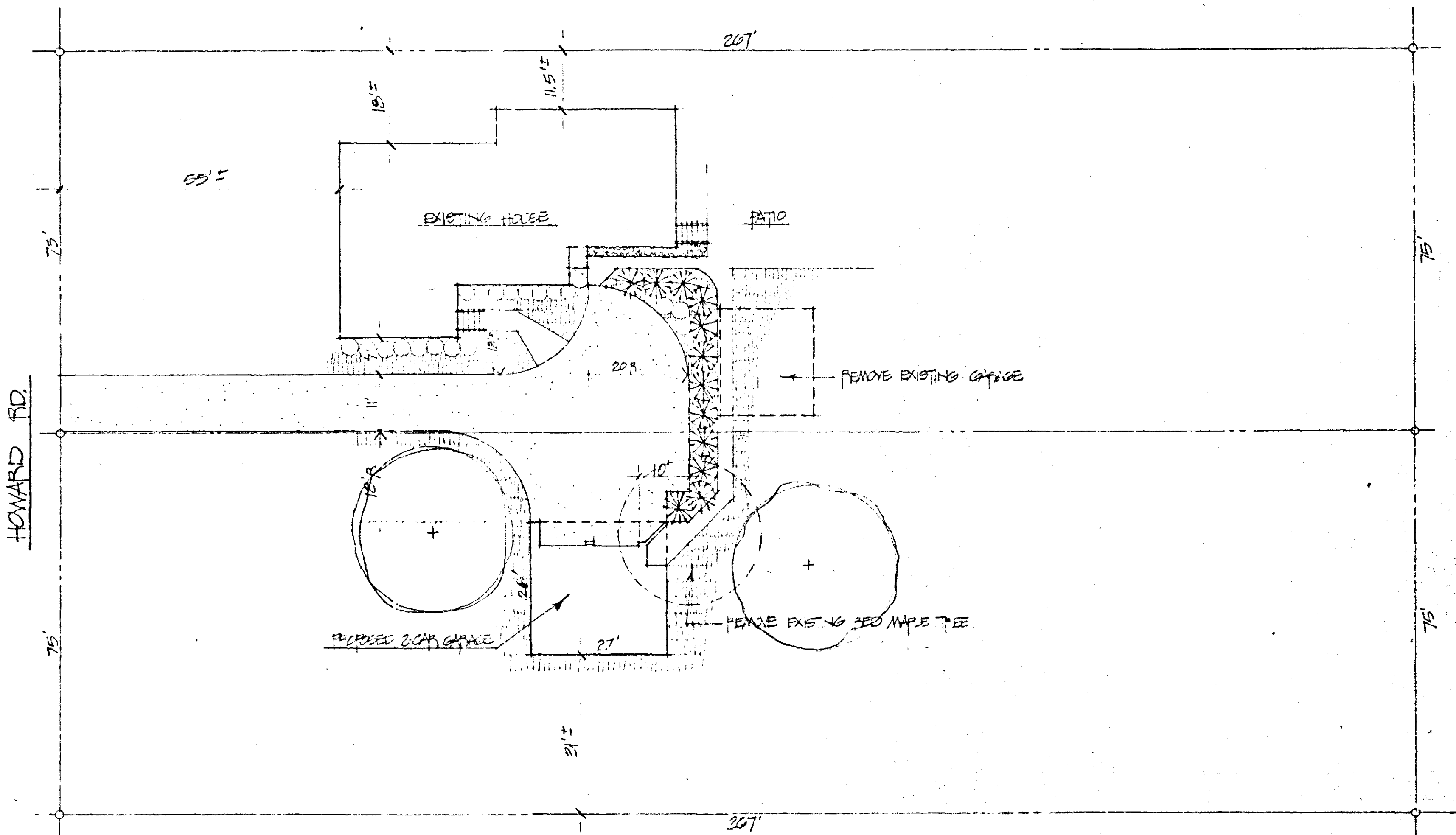
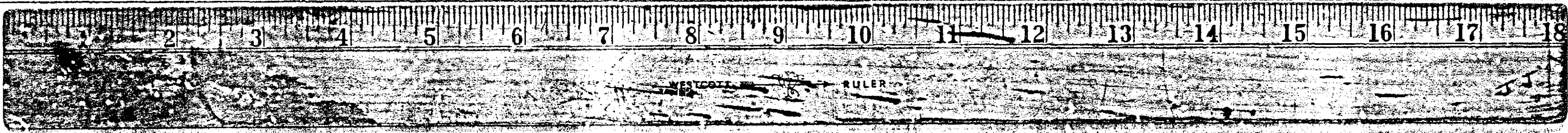
DATE 9/17/80 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Dr. Max Weisfeld

FOR Filing Fee for Case No. 81-78-A

VALIDATION OR SIGNATURE OF CASHIER



MINIMUM AREA STANDARDS IN RESIDENTIAL TRANSITION
AREAS FROM BALTIMORE COUNTY CODE SEC. 2.0.2
GROUP 1 USE 1P 3.5 ZONE

PETITIONER'S
EXHIBIT 1

SITE PLAN 716/718 HOWARD RD.
JUNE 28, 1980 1/4" = 1'-0"

